

### Remarks

The Section 102(b) rejections are improper because the Office Action has failed to assert correspondence to multiple claim limitations in describing the operation of the cited reference without any explanation as to how the cited operation corresponds to the claimed invention. For the majority of the claim limitations of the instant application, the Office Action fails to even discuss the limitations, much less assert and explain correspondence thereto. The objections to the drawings are also improper because the cited requirements for legends is inapplicable as asserted against all figures and where the explanation of the various blocks in the drawings is clearly made in the specification such that the understanding is unmistakably clear. These matters are discussed in greater detail below.

The non-final Office Action dated May 29, 2008, lists the following rejections: the drawings are objected to under 37 CFR 1.83(a); and claims 1-10 stand rejected under 35 U.S.C. § 102(b) over Wang *et al.* (U.S. Patent Pub. No. 2002/0184560). Applicant traverses the objections and rejections, and does not acquiesce to any rejection or averment in this Office Action unless Applicant expressly indicates otherwise.

Applicant respectfully traverses the objections to the drawings because the Office Action has not indicated which material is considered to be necessary for understanding of the drawing, and further because Applicant believes that no legends, as suggested in the Office Action, are necessary for understanding the drawings. Specifically, the functional blocks referenced in the Office Action are all described in the specification in detail, and together with the drawing, clearly provide sufficient information to enable one of skill in the art to understand the drawing. In short, it appears that the objection is based upon an improper assumption that functional blocks must be labeled. This is not the impetus of the cited portions of the M.P.E.P. and relevant law, which only require enough information to convey an understanding and further indicate that any description be as short as possible. Applicant therefore believes that additional legends are unnecessary. However, in an effort to facilitate prosecution, Applicant has added legends to certain blocks in the drawings. While the Office Action has not indicated which specific blocks need legends, Applicant believes that the amended drawings are plainly clear and that no further legends should be needed.

Applicant respectfully traverses the Section 102(b) rejection over the ‘560 reference because the Office Action has not shown correspondence to multiple claim limitations, and has failed to provide explanation as to how the majority of the cited portions of the ‘560 reference are being asserted against the claimed invention. For example, the Office Action mentions a “test controller” and aspects thereof at page 3, then goes on to re-state (or copy directly) paragraphs 0118-0120 of the ‘560 reference at page 4. This recitation does not provide any explanation as to how these cited portions are being asserted as corresponding to any claim limitations, and instead appears to simply describe the operation of the ‘560 reference.

Referring specifically to independent claim 1 of the instant application, the Office Action has failed to assert any correspondence to limitations directed to a test pattern selector and its functions relating to selecting a set of test input patterns and domain clock signals. The Office Action has also failed to assert correspondence to limitations characterizing the properties of the test pattern selector and related test pattern as described at lines 12-24 of claim 1 as recited above. These properties to which no correspondence has been provided include fault detection via the response to a particular test pattern captured by a timing sensitive flip flop cell in a first clock domain, receipt of data dependent upon data from a source flip-flop cell that belongs to a second clock domain, the combination of selectively enabled domain clock signals, and a data value in a source flip-flop that is identical to a response value captured by the source flip-flop. The Office Action generally fails to even mention these limitations.

Regarding other independent claims 3, 6, 7, 9 and 10, it appears that the Office Action has only attempted to allege correspondence to the test controller of claim 1, in that none of the limitations in claims 3, 6, 7, 9 and 10 appear to be discussed under the heading at page 3 of the Office Action, through the next heading at page 5. In this regard, the Office Action has failed to assert or provide correspondence to limitations directed to “selecting a set of test input patterns,” and related limitations at lines 6-29 of independent claim 3. The Office Action also fails to provide correspondence to similar limitations of independent claim 6. Regarding independent claim 7, the Office Action has failed to assert correspondence to limitations directed to information representing an original design, clock disabling, generation of an adapted version of the original design,

and selecting a set of test patterns for the adapted version. The Office Action also fails to provide correspondence to similar limitations of independent claims 9 and 10.

The Office Action has also failed to assert any correspondence to various dependent claim limitations, such as those directed to indication of which clocks to disable, adaptive versions of test designs and others (*see, e.g.*, claims 2, 4, 5 and 8), as relative to the above discussion and otherwise.


In short, the Office Action appears to have cited to a reference that discusses more than one clock domain, and asserts that the reference has a test controller. Beyond that, the Office Action has failed to assert and show correspondence to multiple claim limitations of the instant invention. In this regard, Applicant submits that the Section 102 rejections are improper and must be removed.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of NXP Corporation at (408) 474-9063 (or the undersigned).

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Attachment: Replacement Drawing Sheets